



RECEIVED

'AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

# COMMONWEALTH of VIRGINIA

*Department of Corrections*

P. O. BOX 26963  
RICHMOND, VIRGINIA 23261  
(804) 674-3000

RON ANGELONE  
DIRECTOR

July 25, 1994

DOCKET FILE COPY ORIGINAL

The Honorable Reed E. Hundt  
Federal Communications Commission  
1919 M Street, N. W.  
Washington, D. C. 20554

Subject: Billed Party Preference; CC Docket NO. 92-77

Dear Mr. Hundt:

I am writing on behalf of the Virginia Department of Corrections to voice this agency's opposition to Billed Party Preference (BPP); CC Docket No. 92-77, in that it does not exempt prison facilities from this rulemaking. Furthermore, based on my understanding of this pending proposal, should the Federal Communications Commission successfully institute BPP, it will represent a giant step backwards for prison systems seeking to maximize the quality of inmate telephone technology while, at the same time, increasing the cost burden to taxpayers through the virtual elimination of all negotiated phone service commissions.

We feel that our present system used for providing telephone service for inmates allows for controls that are necessary to protect inmates' families, the public, telephone operators, prison staff, government and court officials from harrassing calls and prevents inmates from perpetrating fraudulent and illegal schemes over the telephone. The system that is in place was competitively bid and provides a high degree of sophistication, i.e. the use of PIN numbers for inmates, the ability to block numbers from inmate calls, call branding so the called party knows the call is coming from a prison, call limitations, immediate access to the company providing the service to ensure prompt changes and maintenance of the system. Many other features are available on this statewide system that services all 41 Virginia Department of Corrections facilities.

Should BPP be implemented, the Department would lose the bargaining power we now have by being able to aggregate the long distance calls made by inmates. The computerized network now in place is provided by the vendor that was awarded the competitively bid contract for the service. Please note, under this contract, specific restrictions are

No. of Copies rec'd  
List ABCDE

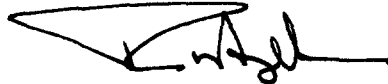
044

placed on the charges that can be used for calls placed. It is specified that the cost cannot exceed rates as established by AT&T for inter-lata calls and rates established by the Virginia State Corporation Commission for intra-lata calls. This insures the called party against any surcharges or additional charges being added to calls placed from a prison facility.

It is our feeling, from past experience, that the local telephone companies that service many of our facilities do not have the technology to provide the kind of service and control mechanisms necessary to operate an inmate telephone system that is cost effective for the called party and provides effective system management at the prison facility level. Removal of our current inmate telephone system would be detrimental to the welfare of the inmate, would cause morale problems within the inmate population, therefore security problems for prison staff.

Again, we wish to state our opposition to prison facilities' not being exempted from the Billed Party Preference rulemaking.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Angelone', with a stylized, sweeping flourish extending to the right.

Ron Angelone

cc: The Honorable James H. Quello  
The Honorable Andrew C. Barrett  
The Honorable Rachelle B. Chong  
The Honorable Susan Ness



RECEIVED

AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

DEPARTMENT OF CORRECTIONS

OFFICE OF THE SECRETARY

115 East Dakota Avenue

Pierre, SD 57501-3216

Phone: (605) 773-3478

Fax: (605) 773-3194

COPY

July 26, 1994

THE HONORABLE REED E HUNT CHAIRMAN  
FEDERAL COMMUNICATIONS COMMISSION  
1919 M STREET NW  
WASHINGTON D C 20554

DOCKET FILE COPY ORIGINAL

RE: FCC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hunt:

The South Dakota Department of Corrections, representing the South Dakota State Penitentiary in Sioux Falls and the Springfield Correctional Facility in Springfield, strongly oppose the application of billed party preference to inmate facilities.

The administration of our inmate telephone systems through a single carrier under contract provides us with many advantages that would not be available with multiple carriers selected by the inmates.

- 1) The carrier provides all the equipment and maintains it. The department would be unable to provide this equipment without their assistance. Lack of access by the inmates would increase tension in the institution.
- 2) This equipment prevents fraud, abusive calls and other criminal activity. It provides the ability to limit phone calls and lockout abilities in emergencies. It provides recording options for investigations and institutional security.
- 3) The revenues provided by this program are utilized to benefit inmate programs. These would not be replaced with state funding, further increasing inmate tension.

We are sensitive to the rates paid by the families and friends of the inmates. We try to negotiate rates that are not abusive to the inmate families. An alternative to billed party preference may be establishing a ceiling on allowable rates that can be charged.

No. of Copies rec'd  
List ABCDE

*027*

It is the SDDOC's contention that the current arrangements serve the state, taxpayers, families and friends of inmates and the inmates themselves well. The loss of this option would be extremely detrimental. **Therefore, the SDDOC urges you not to adopt regulations that would negatively affect the administration and security of our correctional institutions.**

Respectfully submitted



Lynne DeLano  
Secretary

cc: The Honorable Senator Larry Pressler  
The Honorable Senator Thomas Daschle  
The Honorable Representative Tim Johnson  
The Honorable James H. Quello  
The Honorable Rachelle B. Chong  
The Honorable Andrew C. Barrett  
The Honorable Susan Ness  
Warden Joe Class, State Penitentiary  
Warden Jim Smith, Springfield Correctional Facility



DATE: 11/11/1994



Office of the Sheriff

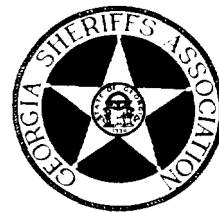
## Dougherty County, Georgia

**Jamil Saba, Sheriff**

P.O. Box 1827, Albany, Georgia 31703

Telephone (912) 436-1561

GA 0470000



**RECEIVED**

**'AUG 12 1994'**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY**

July 25, 1994

Policy and Program Planning Division  
Common Carrier Bureau  
Room 544  
1919 M Street, NW  
Washington, D.C. 20515

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

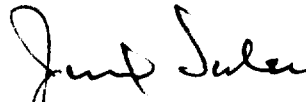
The Billed Party Preference will do nothing more than undermine our ability to control all inmates in our facility. If you approve BPP, you will take away all established tools incorporated in the phone system to accomplish the below listed issues:

- A) Victim and witness harassment prevention by inmates;
- B) Facility personnel supervision of phone usage;
- C) Phone number blocking capability;
- D) Call duration capability;
- E) Call monitoring and recording capabilities;
- F) Inmate phone commissions;
- G) Collect-only system capability; and
- H) Reduced budgetary costs due to not having to pay for inmate calls.

No. of Copies rec'd 2  
List ABCDE

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions--decisions that are clearly within our discretion and which we have a public responsibility to make.

Yours for better Law Enforcement,

A handwritten signature in black ink, appearing to read "Jamil Saba". The signature is fluid and cursive, with the first name "Jamil" and last name "Saba" clearly distinguishable.

Jamil Saba, Sheriff  
Dougherty County Sheriff's Office  
225 Pine Avenue  
Albany, Georgia 31702

cc: Vice President Al Gore  
Senator Paul Coverdell  
Senator Sam Nunn  
Congressman Sanford Bishop

## DEPARTMENT OF GENERAL SERVICES

## TELECOMMUNICATIONS DIVISION

601 SEQUOIA PACIFIC BOULEVARD  
SACRAMENTO, CA 95814-0282  
(916) 657-9903



DOCKET FILE 92-77

RECEIVED

AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

July 29, 1994

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street N.W.  
Washington, D.C. 20554

Dear Chairman Hundt:

**LETTER IN SUPPORT OF THE POSITIONS OF THE CALIFORNIA DEPARTMENT OF CORRECTIONS  
AND THE CALIFORNIA YOUTH AUTHORITY REGARDING DOCKET 92-77, BILLED PARTY  
PREFERENCE**

The Department of General Services, Telecommunications Division (hereinafter TD) is writing to you to express our support of the positions of the California Department of Corrections and the California Youth Authority regarding Billed Party Preference (BPP). The TD has the overall responsibility for the development and management of all telecommunications matters relating to California State Government, and as such is deeply concerned with the impact of Billed Party Preference and the attendant difficulties that the instant proceeding may foster.

The TD has spent a great deal of time in the development of a "Master Services Agreement" that would provide the most efficient, secure and economically feasible plan to offer pay telephone services to the general public that use state facilities as well as a program that would serve the needs of correctional and law enforcement entities within the State. As a result of our efforts, a contract was awarded to MCI Corporation and GTE Corporation for the provision of these services on a statewide basis, which provides a high degree of security and fraud protection.

In the course of development of a statewide pay telephone service, the TD was extremely sensitive to the amount of fraud and abuse that has plagued this portion of the industry. Of particular concern was the amount of fraud and abuse that emanated from correctional facilities within California. As a result of our efforts we have been able to dramatically reduce the incidence of fraud, abuse and harassing and threatening telephone calls that were placed to victims, witnesses and other individuals from correctional center inmates.

During our development process, it also became clear that few of the Operator Service Providers (OSP) could offer the level of protection and fraud prevention which was requested. With this in mind, the TD is extremely concerned that if BPP is instituted as it is currently proposed, the State would now lose the ability to reduce fraud and abuse. As a result, the TD supports the positions of the California Department of Corrections and the

No. of Copies rec'd \_\_\_\_\_  
List ABCDE \_\_\_\_\_

2

The Honorable Reed Hundt

-2-

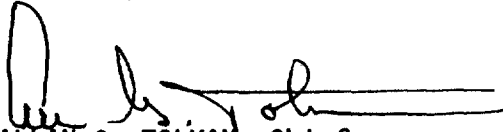
July 29, 1994

California Youth Authority that correctional institutions be exempt from offering BPP from telephones routinely used by inmates and wards.

In the past, the Federal Communications Commission has been extremely sensitive to the issue of toll fraud and abuse. California State Government shares those concerns and supports those efforts, and urges the Commission to carefully consider the potential for fraud and abuse if a universal system of security can not be offered by all OSPs under Billed Party Preference.

We look forward to working further with the Commission on these issues. If our office can provide you any assistance, or you desire further information, please do not hesitate to contact Mr. Scoop Sairanen at (916) 657-9166.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allan G. Tolman', with a long horizontal line extending to the right.

ALLAN G. TOLMAN, Chief  
Telephone and Network Services

AGT:AAS:pr





**Richland County Detention Center**

1400 Huger Street

Columbia, South Carolina 29201

Telephone 748-4936

James A. McCaulley  
Director

RECEIVED

AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

July 28, 1994

The Honorable Reed E. Hundt  
Federal Communications Commission  
1919 M Street, NW  
Washington, DC 20554

92-77

**RE: BPP (Billed Party Preference)**

Dear Mr. Hundt:

I am a Detention Center Director who has survived under the "old system" and who enjoys our current contract phone system, provided by our inmate phone service provider.

Inmate abuse of any system outside of the control of the institution is horrendous. When this abuse occurs, correctional staff time is wasted handling complaints from citizens, witnesses, prosecutors, law enforcement pertaining to abuse and threats by inmates.

Approval of the BPP for inmate telecommunications would be a **giant step backwards** in the area of inmate telecommunications.

We have built up trust and confidence with our inmate phone service providers over the years, and for all practical purposes eliminate fraud. Of greater impact, has been the elimination of harassment of victim/witness by inmates under our control. Additionally, there would be a great loss of revenue to local government's ever increasing cost. Should the phones be removed from our facility, and surely they would be, we would be set back at least a decade! Who would replace the phones, surely not the government entity.

No. of Copies rec'd 0+1  
List ABCDE

The Honorable Reed E. Hundt  
Page Two  
July 28, 1994

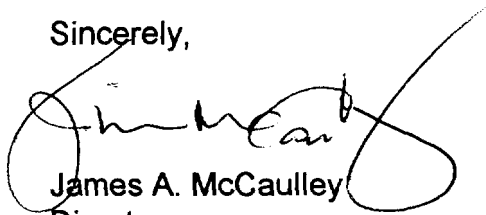
The greatest single improvement to the correctional field over the past eight years has been the phone system provided by an inmate phone service provider.

I have reviewed comments made on this issue from professional correctional practitioners from around the country. I echo all their concerns on the negative impact of BPP, should it apply to correctional facilities.

Your assistance is appreciated in "**exempting correctional facilities from BPP**".

Thank you in advance for your favorable consideration.

Sincerely,



James A. McCaulley  
Director

JAM/rjw (0726hund)

# MAINE SHERIFFS' ASSOCIATION

Edward J. Reynolds, President  
Sheriff, Penobscot County

RECEIVED

RECEIVED

AUG 12 1994

July 30, 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

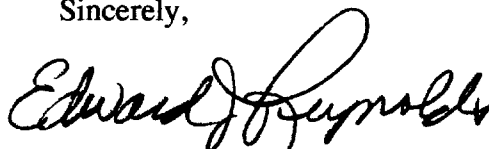
Policy & Program Planning Division  
Common Carrier Bureau, Room 544  
1919 M. Street N. W.  
Washington, D.C. 20554

Dear Sirs:

The proposed FCC rule change dealing with billed party preference would cause a significant problem for Maine's County Correctional Systems. This is true because most jails in the state use revenues from the current system to provide the inmates with various programs and therefore the tax payers realize the benefit through property tax relief. Also, there would be a great loss of security whereby the jails would not be in a position to protect the rights of citizens with billed party preference in place.

We Sheriff's of the State of Maine urge you to refrain from forcing the BPP system upon us and add more burden to an already over taxed and under funded County Correctional System.

Sincerely,



Edward J. Reynolds  
Sheriff  
Penobscot County

EJR/kl

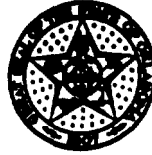
No. of Copies rec'd  
List ABCDE

021

OFFICE OF

TERRY POFF, SHERIFF

BECKHAM



COUNTY

SAYRE, OKLAHOMA 73662

PHONE 928-2121

July 27, 1994

RECEIVED

AUG 12 1994

RECEIVED  
SHERIFF'S OFFICE  
BECKHAM COUNTY

The Honorable Reed E. Hundt, Chairman  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20554

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to single carrier that is equipped to handle inmate calls and with whom we have contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive call, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

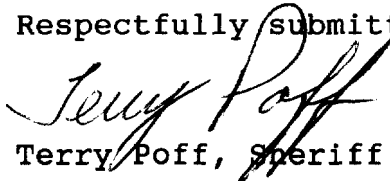
No. of Copies rec'd  
List ABCDE

0

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary to our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions -- decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Terry Poff".

Terry Poff, Sheriff Beckham County

TP/cah



STATE OF MISSISSIPPI  
DEPARTMENT OF CORRECTIONS  
EDDIE LUCAS  
COMMISSIONER

DOCKET FILE COPY ORIGINAL

RECEIVED

AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

22 July 1994

The Honorable Reed E. Hundt  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Billed Party Preference; CC Docket No. 92-77

Chairman Hundt:

As the Commissioner of the Mississippi Department of Corrections, I feel it is necessary to express my objections to the enactment of Billed Party Preference. Outlined below are our main areas of concern.

- BPP would undermine security and control of inmate calls.  
There would be no restriction on where inmates could call. Inmates could plan escapes, run scams and conduct criminal operations with no way for the Department of Corrections to track calls or have record of such activity. Judges, witnesses, juries and victims would be open to threats and harassment from inmates and the harassed party would have to pay for the call. The Mississippi Department of Corrections has, in the past, had a national-wide problem with inmate money order scams. By working with our phone service provider and exercising control of inmate calling, the Mississippi Department of Corrections has been able to greatly curtail these fraudulent activities. BPP would eliminate all progress in this area and would escalate call abuse and criminal fraud activity.
- BPP would eliminate revenue sharing.  
Currently all monies from inmate phone calls go into the Inmate Welfare Fund. These funds are used solely for the benefit of inmates incarcerated in the Mississippi Department

No. of Copies rec'd 0  
List ABCDE

Honorable Reed E. Hundt  
22 July 1994  
Page -2-

of Corrections. Elimination of this revenue would cause a financial burden to the Department of Corrections and the taxpayers in the State of Mississippi. If BPP is enacted, the equipment currently provided by inmate telephone vendors would have to be purchased by the Department of Corrections with institutional funds at tremendous costs. The Mississippi Department of Corrections would have to provide phone lines and equipment at additional monthly costs. These additional financial burdens would be a severe blow to the State of Mississippi and the taxpayers during this time of nationwide fiscal crisis in government.

- BPP would eliminate ability to negotiate rates.

The ability to ensure reasonable rates for inmate telephone calls would be taken away from the Department of Corrections. We are very concerned about the financial burden that would be placed on the inmate family. With BPP the rates paid by inmate families would be set by the CEO's of the long distance carriers and the Department of Corrections would no longer be able to negotiate reasonable ceilings for inmate telephone rates. Without reasonable and sensible calling rates, the families of the inmates will not accept the inmate's calls.

In conclusion, for the Department of Corrections to provide telephone service for inmates equal to current service, the costs would be prohibitive if BPP is enacted. Our only alternative would be to reduce inmate telephone service to a level that would be affordable to the Department of Corrections. Enactment of Billed Party Preference would be detrimental to the inmates, their families and the Mississippi Department of Corrections.

Sincerely,



EDDIE M. LUCAS, Commissioner  
Mississippi Department of Corrections

EML:JEMc:tr

cc: The Honorable James H. Quello  
The Honorable Andrew C. Barrett  
The Honorable Rachelle B. Chong  
The Honorable Susan Ness  
Mississippi Public Service Commission

Honorable Reed E. Hundt  
22 July 1994  
Page -3-

cc: The Honorable Jamie L. Whitten  
The Honorable Benny Thompson  
The Honorable G. V. Montgomery  
The Honorable Mike Parker  
The Honorable Gene Taylor  
The Honorable Thad Cochran  
The Honorable Trent Lott  
David Litchliter, Director, CDPA  
file



July 25, 1994  
513-225-4192 (Phone)  
513-496-7986 (Fax)

RECEIVED

AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

MONTGOMERY  
COUNTY  
SHERIFF

The Honorable Reed E. Hunt, Chairman  
Federal Communications Commission  
1919 M Street, NW  
Washington, D. C. 20554

**RE: CC DOCKET 92-77 BILLED PARTY PREFERENCE**

Dear Chairman Hunt:

Myself and my jail administrators are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

In analyzing the security and administration needs at our facility we have found it necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us or the general public, and few that will be trained to handle inmate calls.

We have found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide the equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, short of passing that expense on to local taxpayers. There will be no inmate phone service providers there to assist us. Without inmate phones, the morale of our inmates and their families will be devastated. The resulting



No. of Copies rec'd \_\_\_\_\_  
List ABCDE \_\_\_\_\_

AN EQUAL OPPORTUNITY EMPLOYER

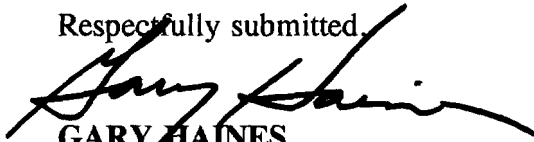
330 West Second Street  
Dayton, OH 45422-2427

increase in tension will make it more difficult for our staff to manage inmates.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of my staff. We urge you to **not** adopt regulations that interfere with our administrative and security decisions- decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,



GARY HAINES  
SHERIFF

cc: Major Olin  
Bertha Henry  
Al Florio  
Sally Blackburn  
File

DO NOT WRITE IN THESE SPACES

1994-01

RECEIVED

NATIONAL ASSOCIATION OF STATE UTILITY CONSUMER ADVOCATES AUG 12 1994

## R E S O L U T I O N

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**Urging the Adoption of a Billed Party Preference  
System for 0+ InterLATA Calls**

WHEREAS, currently "0+" calls, including calling card, collect and third-party billing calls, from payphones, hotels, motels, airports, prisons and other aggregator locations are sent to the operator services provider (OSP) to which the premises owner or payphone provider presubscribes;

WHEREAS, OSPs generally compete for premises owners and payphone providers by offering commissions on 0+ calls made from the phones presubscribed to them, rather than competing for end users on the basis of price and quality of the service offered to the consumer;

WHEREAS, customers are currently able to select an OSP of their choice when using a payphone or telephone at an aggregator location only by dialing 10XXX or other access codes prior to dialing zero plus the number being called;

WHEREAS, the use of 10XXX and other access codes may be intentionally or unintentionally restricted at certain payphones and aggregator locations and such dialing can be confusing to customers;

WHEREAS, consumer advocates, state commissions and federal regulators have received many complaints over the level of charges from resulting from unintended or inadvertent selection of an OSP at a payphone, hotel, motel, airport or other aggregator location;

WHEREAS, consumer advocates, state commissions and federal regulators have received complaints from billed parties over the level of charges from OSPs from collect calls originating from prisons and jails;

**RESOLUTION-1994**

**Page 2**

**WHEREAS, Billed Party Preference allows the billed party to use the carrier of his or her choice by having calling cards presubscribed, and having collect and third party calls routed via the party's chosen carrier;**

**WHEREAS, Billed Party Preference would require OSPs to shift their competitive focus from the aggregators, such as premises owners or payphone providers, to the end users who actually pay for the service;**

**WHEREAS, the Federal Communications Commission estimated, in a November 1992 report pursuant to the Telephone Operator Consumer Services Information Act, that Billed Party Preference would likely enable consumers to save \$280 million per year by avoiding OSPs with rates higher than the AT&T/MCI/Sprint average;**

**WHEREAS, Billed Party Preference should result in increased customer satisfaction over prices charged and quality of service provided and would eliminate customer confusion;**

**THEREFORE, BE IT RESOLVED that the National Association of State Utility Consumer Advocates urges the adoption of a ubiquitous system of Billed Party Preference for all 0+ calling from all paystations, motels, hotels, airports, prisons and other aggregator locations nationwide, and from all private business and residence phones;**

**AND, BE IT FURTHER RESOLVED, that NASUCA shall file a copy of this resolution with the Federal Communications Commission in its docket examining Billed Party Preference;**

RESOLUTION-1994

Page 3

AND, BE IT FURTHER RESOLVED that NASUCA authorizes its Executive Committee to develop specific positions and to take appropriate actions consistent with the terms of this resolution. The Executive Committee shall advise the membership of any proposed action prior to taking such action if possible. In any event, the Executive Committee shall notify the membership of any action taken pursuant to this resolution.

Approved by NASUCA

Santa Fe, New Mexico  
Place

June 21, 1994  
Date

Submitted by:  
NASUCA Telecommunications  
Committee

Committee Members:  
Ron Binz (CO), Chair  
Suzanne Antley (AR)  
Charlie Beck (FL)  
David Bergmann (OH)  
David Conn (IA)  
Regina Costa (CA)  
Terry Czarski (MD)  
Elliott Elam (SC)  
Mike Griffin (NV)  
Wayne Jortner (ME)  
Philip McClelland (PA)  
Michael McRae (DC)  
Robert Piller (NY)  
Tim Seat (IN)  
Philip Shapiro (NY)  
Deborah Waldbaum (CO)  
Walter Washington (TX)

**MICHIGAN**

Office of Attorney General  
Special Litigation Division

**MINNESOTA**

Office of Attorney General  
Residential Utilities Division

**MISSISSIPPI**

Office of Attorney General  
Public Advocacy Division

**MISSOURI**

Office of the Public Counsel

**NEVADA**

Attorney General's Office of Advocate  
for Customers of Public Utilities

**NEW HAMPSHIRE**

Office of the Consumer Advocate

**NEW JERSEY**

Department of the Public Advocate  
Division of Rate Counsel

**NEW MEXICO**

Office of Attorney General  
Consumer Protection Division

**NEW YORK**

State Consumer Protection Board  
Utility Intervention Office  
Department of Law  
Energy and Utilities Section

**NORTH CAROLINA**

Office of Attorney General  
Utilities, Energy and Insurance Section  
Public Staff/Utilities Commission

**OHIO**

Office of the Consumers' Counsel

**OREGON**

Citizens Utility Board

**PENNSYLVANIA**

Office of Consumer Advocate  
Office of Small Business Advocate

**SOUTH CAROLINA**

Department of Consumer Affairs  
Division of Consumer Advocacy

**TEXAS**

Office of Public Utility Counsel

**UTAH**

Department of Commerce  
Committee of Consumer Services

**VERMONT**

Department of Public Service  
Division of Public Advocacy

**VIRGINIA**

Office of Attorney General  
Insurance & Utilities Regulatory Section

**WASHINGTON**

Office of Attorney General  
Public Counsel Section

**WEST VIRGINIA**

Public Service Commission  
Consumer Advocate Division

**ASSOCIATE MEMBERS**

Public Utility Law Project of New York  
Albany, New York

Toward Utility Rate Normalization (TURN)  
San Francisco, California

**AFFILIATE MEMBERS**

British Columbia Public Interest  
Advocacy Center

Vancouver, British Columbia, Canada

Citizens Utility Board

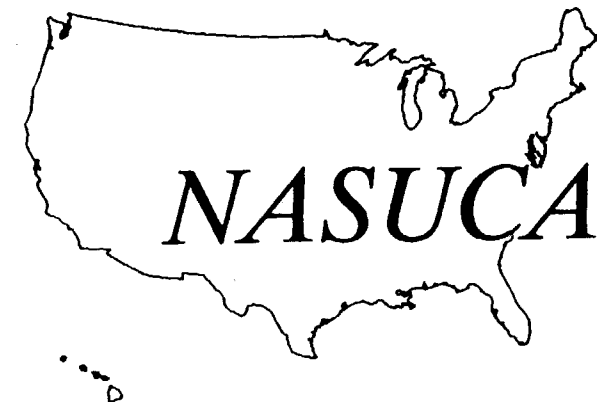
Madison, Wisconsin

Cook County State's Attorney's Office  
Chicago, Illinois

Evergreen Legal Services

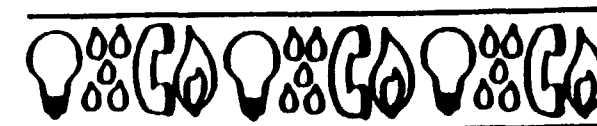
Seattle, Washington

Utility Consumers Action Network  
San Diego, California



# National Association of State Utility Consumer Advocates

*"Serving America's Utility Consumers"*

**FOR MORE INFORMATION, CONTACT:****NASUCA**

**1133 15TH STREET, N.W., SUITE 575**

**WASHINGTON, D.C. 20005**

**(202) 727-3908 FAX (202) 727-3911**

## **NASUCA is . . .**

### **. . . The National Association of State Utility Consumer Advocates**

**NASUCA** is a national organization of 41 offices of utility ratepayer advocates in 37 states and the District of Columbia. These advocates represent millions of American consumers served by investor-owned gas, telephone, electric and water companies.

**NASUCA** member offices operate independently from the regulatory commissions in their states and are designated by state law to act as ratepayer advocates. Some are separately established utility advocate organizations, others are divisions of larger departments, such as the office of Attorney General.

**NASUCA** associate and affiliate member offices also serve utility consumers, but have not been created by state law or do not have statewide authority.

**NASUCA** was organized in 1979 by 16 consumer advocate agencies. These offices were formed in the 1970s, when state governments responded to rapidly rising utility costs and a need for consumer protection. NASUCA was founded to exchange ideas, improve consumer representation at the federal and state levels, and to encourage greater participation by consumers in the regulatory process.

**NASUCA** members, through actions before state and federal courts and regulatory agencies, have saved consumers billions of dollars in utility costs and established important consumer rights and legal precedents.

**NASUCA** members represent the concerns of utility consumers by testifying before Congress and federal regulatory agencies; arguing before state and federal courts on matters concerning utility rates; and by speaking for consumers in a variety of other forums.

**NASUCA** offers lawmakers and regulators policy choices and raises public awareness of utility issues.

## **NASUCA LEADERSHIP**

At annual and mid-year meetings, members discuss regulatory issues, hold informative panels and workshops, and adopt resolutions which establish the policies of the organization. The Executive Committee meets throughout the year to chart specific actions which implement NASUCA policies.

The NASUCA Washington office is the organization's liaison with federal legislators, regulators, and other consumer and utility interest groups. The Washington office keeps NASUCA members updated on federal utility policies, legislation and decisions.

## **PUBLICATIONS**

NASUCA Newsletter - Monthly publication informs members and the public of significant state regulatory decisions and activities of advocate offices across the country.

Washington Report - Monthly publication provides members with up-to-date information on Congressional and federal regulatory actions. (Distributed to NASUCA members only.)

NASUCANET - This computerized communication and information link helps offices to communicate with each other. Subscribers may send or solicit information to each other via this electronic network.

NASUCA Directory - Contains information profiling each of the NASUCA member offices, the state statutes designating authority, the duties of each of the offices, and personal profiles of a number of the consumer advocates.

LCUP Manual - Is a comprehensive guide for state consumer advocates and other groups interested in promoting and participating in least-cost planning in their states.

Emissions Control & Acid Rain Compliance Handbook - Comprehensive guide for parties involved in choices of acid rain strategies and in the regulation of that process and associated electric utility rates.

Consultant Handbook - Directory of expert consultants used by NASUCA member offices.

## **NASUCA MEMBERS**

### **ALABAMA**

Office of Attorney General  
Utilities Division

### **ARIZONA**

Residential Utility Consumer Office

### **ARKANSAS**

Office of Attorney General  
Consumer Utility Rate Advocacy Division

### **COLORADO**

Office of Consumer Counsel

### **CONNECTICUT**

Office of Consumer Counsel

### **DELAWARE**

Office of the Public Advocate

### **DISTRICT OF COLUMBIA**

Office of the People's Counsel

### **FLORIDA**

Office of Public Counsel

### **GEORGIA**

Office of Consumers' Utility Counsel

### **HAWAII**

Division of Consumer Advocacy

### **ILLINOIS**

Citizens Utility Board

### **INDIANA**

Office of Utility Consumer Counselor

### **IOWA**

Office of Consumer Advocate

### **KANSAS**

Citizens Utility Ratepayer Board

### **KENTUCKY**

Office of Attorney General  
Utility and Rate Intervention Division

### **MAINE**

Public Advocate Office

### **MARYLAND**

Office of People's Counsel

### **MASSACHUSETTS**

Department of the Attorney General  
Regulated Utilities Division,  
Public Protection Bureau

CC 92-77

# MAINE SHERIFFS' ASSOCIATION

Edward J. Reynolds, President  
Sheriff, Penobscot County

RECEIVED

AUG 11 1994

July 30, 1994

Honorable Andrew C. Barrett  
Federal Communications Commission  
1919 M. Street N.W.  
Washington, D.C. 20554

COCKET FILE COPY ORIGINAL

Dear Mr Barrett:

The proposed FCC rule change dealing with billed party preference would cause a significant problem for Maine's County Correctional Systems. This is true because most jails in the state use revenues from the current system to provide the inmates with various programs and therefore the tax payers realize the benefit through property tax relief. Also, there would be a great loss of security whereby the jails would not be in a position to protect the rights of citizens with billed party preference in place.

We Sheriff's of the State of Maine urge you to refrain from forcing the BPP system upon us and add more burden to an already over taxed and under funded County Correctional System.

Sincerely,



Edward J. Reynolds  
Sheriff  
Penobscot County

EJR/cls

No. of Copies rec'd 0  
List ABCDE



UNCLASSIFIED COPY

July 20, 1994

The Honorable Reed Hundt, Chairman  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D. C. 20554

RECEIVED

AUG 12 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Re: CC Docket #92-77

Dear Chairman Hundt:

I am writing to voice my concerns about the proposed Billed Party Preference regulation. The correctional facility inmate phone industry would be severely jeopardized by BPP, affecting inmates, their families and the criminal justice system as a whole. *For this reason, we are asking that inmate calls be exempt from the proposed BPP regulation.*

Over the past ten years, administrators of correctional facilities have been able to put into place a very effective system for allowing inmate phone calls. The right to choose our phone service provider has been key to our success. This service has always been delivered to us at very reasonable rates. What's more, inmate phone commissions have been a significant source of revenue for our facility and have helped us improve it dramatically. *We use this revenue to fund various programs including: law enforcement education; inmate health, education and recreation; jail personnel safety; drug prevention and other community programs; family visitation etc.*

***Here are a few of my biggest concerns about Billed Party Preference:***

- It strips correctional facility administrators of the right to choose inmate phone providers.
- Technology for BPP would reportedly cost upwards of \$1.5 billion, an expense that would have to be passed along to the consumer.
- Without the authority to process calls, inmate phone providers would no longer have the revenue to provide the sophisticated phone systems used in prisons. The end result: fewer phones with fewer security features. Facilities would have to revert to the old ways of supervising each and every inmate call.
- The average length of stay in jail would increase because inmates would not have the phone privileges required to make arrangements for obtaining bond. *This costs everyone!*
- Under BPP, correctional facilities would no longer have control over inmate calls, which means no call tracking or blocking. Inmates could conceivably harass judges, witnesses, jury members or even the victims of their crimes.
- Without call control, facilities would be unable to control fraud problems currently handled by inmate phone providers.

For the above reasons, and countless others, we believe that THE COSTS OF BILLED PARTY PREFERENCE FOR INMATE CALLS FAR OUTWEIGH THE BENEFITS. If BPP does become regulation, we urge you to make inmate calls exempt. Thank you for your consideration of my views.

Sincerely,

*Don E. Scott*  
Graham County Sher. Pls. Dept.  
410 N. Pomeroy  
Hill City, Ks 67642  
(913) 674-2107

No. of Copies rec'd \_\_\_\_\_  
List ABCDE \_\_\_\_\_

0